

**REMARKS**

Claims 1-17 are pending. Applicant has amended claims 1, 9, 10, and 11 to more clearly claim the invention. For the reasons set forth in detail below, Applicant believes the pending application is now in condition for allowance.

**1. Claim Rejections Under 35 U.S.C. § 102(b)**

Claims 1-3, 5-11 and 13-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,549,922 to Srivastava et al.

Srivastava describes a system for managing media metadata. The system in Srivastava first gathers metadata information from the media itself, then turns to auxiliary metadata sources such as look-up services available on the Internet. Information is only gathered from auxiliary sources if it cannot be extracted from the media itself. (Srivastava, col. 5:13-14). A predefined set of elements of metadata to look for is provided, and it is possible to add to or modify which metadata elements are examined. (Srivastava, col. 6:16-18).

Applicant's technology, in contrast, is directed at correcting metadata associated with a particular piece of media using an authoritative source. Unlike Srivastava, Applicant's technology looks to auxiliary sources to obtain the same elements of metadata that it finds associated with the media so that it can verify the correctness of that metadata. When differing values are found for a particular metadata element, Applicant's technology decides which source is authoritative and modifies the contents of the metadata associated with the media to match the contents of the metadata from the authoritative source. Srivastava allows overriding or replacing which metadata elements are retrieved, but does not teach modifying the contents of the metadata itself.

All of Applicant's claims recite the unique steps noted above, and Applicant has amended the claims to make clear that the contents of the metadata, not the presence of particular metadata elements, are compared. Claims 1, 9, and 11 recite "comparing

contents of each of said at least one field of metadata with contents of at least one field of valid metadata" and "modifying said metadata if said compared field contents do not match contents of at least one field of valid metadata." Claim 10 recites "means for causing said processor to compare contents of each of said at least one field of metadata with contents of at least one field of valid metadata" and "means for causing said processor to modify said metadata if said compared field contents do not match contents of at least one field of valid metadata." All of Applicant's claims recite elements not taught by Srivastava, and therefore Applicant's technology is not anticipated by Srivastava. Accordingly, Applicant requests that this rejection be withdrawn.

2. Claim Rejections Under 35 U.S.C. § 103(a)

Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,549,922 to Srivastava et al. in view of U.S. Patent No. 6,493,720 to Chu et al.

As noted above, each of Applicant's independent claims contains elements not present in Srivastava.

Chu is cited by the Examiner as teaching checking the validity of media. Chu is directed at detecting changes to metadata in a knowledge management system and keeping the metadata in an information catalog up to date. Chu discusses allowing the user to set a schedule on which changes to metadata are synchronized between a user's system and the information catalog. (Chu col.7:60-61). Where multiple users are modifying the same file, the system in Chu always accepts the latest changes to any metadata as the valid set (Chu col. 7:55-59). Nowhere does Chu teach determining if a media file is valid. Determining that one set of metadata is newer than another is not the same as detecting that the media itself is unavailable or corrupt.

In contrast, Applicant's technology is concerned with the validity of the media itself. Claims 4 and 12 recite "determining if a media file is valid." Chu does not perform this

step, and therefore Applicant's claims contain unique elements not taught by Chu either alone or in combination with Srivastava. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

3. Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance and respectfully requests a prompt notice of allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 283108007US from which the undersigned is authorized to draw.

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